

PATENT
450100-3192.5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees : Jun Yonemitsu et al.

Application to Reissue
Patent No.: 5,793,779

Issued : August 11, 1998

For : OPTICAL DISK AND METHOD AND APPARATUS FOR RECORDING
AND THEN PLAYING INFORMATION BACK FROM THAT DISK

745 Fifth Avenue
New York, New York 10151
(212) 588-0800

STATEMENT UNDER 37 C.F.R. §3.73(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned attorney of record, empowered to sign this Statement on behalf of the assignee, states that Sony Corporation, a corporation of Japan, is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors in application Serial No. 08/405,852 which issued as U.S. Patent No. 5,715,355 on February 3, 1998, from which application Serial No. 08/457,844 which issued as U.S. Patent No. 5,793,779 is a divisional application thereof, upon which the present application is a reissue thereof. The assignment was recorded in the U.S. Patent and Trademark Office on June 5, 1995 at Reel 7495, Frame 0825.

PATENT
450100-3192.5

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

Respectfully submitted,

Frommer Lawrence & Haug LLP
Attorneys for Patentees

By: *William S. Frommer by D.M.H.*
William S. Frommer *Dennis M. Said*
Reg. No. 25,506 Reg. No. 34,930
(212) 588-0800

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PATENT
450100-3197

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Patent No.: 5,793,779

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745 Fifth Avenue
New York, New York 10151

ASSENT OF ASSIGNEE

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

Sony Corporation, the assignee of the full and entire
right, title and interest in the above-mentioned Letters Patent
by reason of the assignment from the inventors, recorded on
June 5, 1995 at Reel 7495, Frame 0825, hereby assents to the
accompanying application to reissue same.

SONY CORPORATION

Date: _____

By: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees : Jun Yonemitsu et al.

Application to
Reissue Patent No. : 5,793,779

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For : OPTICAL DISK AND METHOD AND APPARATUS FOR
RECORDING AND THEN PLAYING INFORMATION BACK
FROM THAT DISK

DECLARATION OF JUN YONEMITSU, RYUICHI IWAMURA, SHUNJI YOSHIMURA
and MAKOTO KAWAMURA

As a below-named inventor, I hereby declare that:

1. My residence, post office address and citizenship
are as stated below next to my name.

2. I verily believe myself to be an original, first
and joint inventor of the invention described and claimed in
Letters Patent No. 5,793,779 and in the specification filed
herewith for which I solicit a patent.

3. I hereby state that I have reviewed and understand
the contents of the aforementioned specification, including the
claims.

4. I acknowledge the duty to disclose information
which is material to the examination of this application in
accordance with Title 37, Code of Federal Regulations, § 1.56(a).

5. I hereby claim foreign priority benefits under
Title 35, United States Code § 119 of Application Number

06-074444 filed in Japan on March 19, 1994 and state that no other application for patent or inventor's certificate or any PCT international application was filed by me on the same subject matter prior to March 19, 1994.

6. I do not know and do not believe that the invention was ever known or used in the United States of America before my invention thereof.

7. I verily believe the original Letters Patent to be wholly or partly inoperative or invalid by reason of my claiming more or less than I had a right to claim in the patent at least in that I did not need to claim "having ... a thickness of 1.2mm ± 0.1mm" in method claim 1 and/or in apparatus claim 38 of the original patent.

8. I did not discover that the claims of the original patent claimed more or less than I had a right to claim until after the original patent was issued.

9. No claims were previously presented during prosecution of the above referenced issued patent that particularly claimed the method and apparatus described in paragraph 7.

10. All errors being corrected in this reissue application arose without any deceptive intention on my part.

11. New claims 65 and 66 submitted with this application particularly point out subject matter which I considered my invention and round out the scope of protection to

which I am entitled. By the omission of such claims the original patent claims less than I had a right to claim.

I hereby appoint William S. Frommer, Registration No. 25,506, and Dennis M. Smid, Registration No. 34,930, of Frommer Lawrence & Haug LLP or their duly appointed associate(s), my attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive the Patent, and to transact all business in the U.S. Patent and Trademark Office and in the Courts in connection therewith, and specify that all communications about the application are to be directed to the following address:

William S. Frommer, Esq.
c/o Frommer Lawrence & Haug LLP
745 Fifth Avenue
New York, New York 10151

Direct all telephone calls to: (212) 588-0800 to the attention of William S. Frommer, Esq.

Wherefore I pray that I may be allowed to surrender the Letters Patent No. 5,793,779 granted August 11, 1998, whereof Sony Corporation, on whose behalf and with whose assent this application is made, is the sole owner, by Assignment, and that Letters Patent may be reissued to Sony Corporation for the same invention upon the attached specification.

I, the undersigned applicant, further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be

true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Jun Yonemitsu

Date

Residence: Kanagawa, Japan

Citizenship: Japan

Ryuichi Iwamura

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Date

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